

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CARL A. WESCOTT,
Plaintiff,

v.

ROBERT N. WEAVER, et al.,
Defendants.

Case No. [22-cv-04288-AGT](#)

**ORDER GRANTING IFP
APPLICATION**

Re: Dkt. No. 3

Carl Wescott has applied to proceed in forma pauperis. Having reviewed his application, the Court finds that Wescott “cannot pay the court costs and still afford the necessities of life.” *Escobedo v. Applebees*, 787 F.3d 1226, 1234 (9th Cir. 2015). For this reason, his application is granted. The Court would benefit from adversarial briefing on Wescott’s claims and so will not dismiss his complaint under the IFP statute’s screening provision, 28 U.S.C. § 1915(e)(2)(B). This is without prejudice to any arguments that the defendants may raise after being served.

The Clerk’s Office shall issue summonses and the U.S. Marshal or the Clerk’s Office shall serve the defendants, without prepayment of fees, with a copy of the complaint and this order.

IT IS SO ORDERED.

Dated: August 3, 2022

A handwritten signature in black ink, appearing to read 'Alex G. Tse', is written over a horizontal line.

Alex G. Tse
United States Magistrate Judge